| Notice of Allowability    G9/888,280   |   | Application No.  | Applicant(s)  |  |
|--|---|--|---|--|
| Reaminer   Bing Q. Bui   Bin | Notice of Allowability  |  |   |  |
| Bing Q. Bui  2642  - The MAILING DATE of this communication appears on the cover sheet with the correspondence address—All claims being allowable, PROSECUTION ON THE MERTIS IS (OR REMAINS) CLOSED in this application. If not included herewith (or proviously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RICHTS. This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.318 and MPEP 1308.  1. ☑ This communication is responsive to Applicant's amondment filled on 19 September 2005.  2. ☑ The allowed claim(s) is/are 15.17-22 and 28-33 (renumbered as 1-13, respectively).  3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) ☐ All b) ☐ Some* o ☐ None of the:  1. ☐ Certified copies of the priority documents have been received in Application No.  2. ☐ Certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).  **Certified copies not received:  — Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements proted below. Failure to timely comply will result in ABANDONNENT of this application.  THIS THREE MONTH PERIOD IS NOT EXTENDABLE.  4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.  5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.  (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached  1) ☐ hereto or 2) ☐ to Paper No./Mail Date  |   |  |   |  |
| The MAILING DATE of this communication appears on the cover sheet with the correspondence address—All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not include herewith for proviously malled), a Notice of Novance (PTOL-85) or other appropriate communication will be mailed in due course. THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS. This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1303.  1. ☑ This communication is responsive to Applicant's amendment filed on 19 September 2005.  2. ☑ The allowed claim(s) is/are 15, 17-22 and 28-33 (renumbered as 1-13, respectively).  3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) ☐ All b) ☐ Some c) ☐ None of the:  1. ☐ Certified copies of the priority documents have been received in Application No  |   | Examine  | Artonic   |  |
| All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not include herewith (or previously malled), a Notice of Novance (PTOL-85) or other appropriate communication will be malted in due course. THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS. This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1303.  1.  |   | Bing Q. Bui  | 2642  |  |
| 2. ☑ The allowed claim(s) Is/are 15, 17-22 and 28-33 (renumbered as 1-13, respectively).  3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) ☐ All b) ☐ Some* c) ☐ None of the:  1. ☐ Certified copies of the priority documents have been received.  2. ☐ Certified copies of the priority documents have been received in Application No  3. ☐ Copies of the certified copies of the priority documents have been received in Application No  3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).  *Certified copies not received:  Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.  4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.  5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.  (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached  1) ☐ hereto or 2) ☐ to Paper No./Mail Date  (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date  (c) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date  (d) ☐ including changes required by the Abdice of Braftsperson's Patent Drawing Review ( PTO-948) attached Examiner's Comment Regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.  Attachment(s)  1. ☐ Notice of Paferences Cited ( PTO-892)  2. ☐ Notice of Draftsperson's Patent Drawing Review ( PTO-948)  3. ☐ Information Disclosure Statements ( PTO-1449 or PTO/SB/08), Paper                                       | All claims being allowable, PROSECUTION ON THE MERITS IS herewith (or previously mailed), a Notice of Allowance (PTOL-85) NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RI  | (OR REMAINS) CLOSED in this apport or other appropriate communication<br>IGHTS. This application is subject to | plication. If not included will be mailed in due course. THIS |  |
| 3.   | 1. This communication is responsive to Applicant's amendment filed on 19 September 2005.  |  |   |  |
| a)   | 2. The allowed claim(s) is/are 15, 17-22 and 28-33 (renumbered as 1-13, respectively).  |  |   |  |
| 3.   | a) All b) Some* c) None of the:   |  |   |  |
| * Certified copies not received:   | 2. Certified copies of the priority documents have been received in Application No  |  |   |  |
| * Certified copies not received:  Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDOMMENT of this application.  THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.  4.   | 3.  Copies of the certified copies of the priority documents have been received in this national stage application from the   |  |   |  |
| Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.  4.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.  5.  CORRECTED DRAWINGS (as "replacement sheets") must be submitted.  (a)  including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached  1)  hereto or 2)  to Paper No./Mail Date  (b)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date  Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).  6.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.  Attachment(s)  1.  Notice of References Cited (PTO-892)  2.  Notice of Draftperson's Patent Drawing Review (PTO-948).  3. Information Disclosure Statements (PTO-1449 or PTO/SB/08).  Paper No./Mail Date  5. Notice of Informal Patent Application (PTO-152)  6. Interview Summary (PTO-413), Paper No./Mail Date  7. Examiner's Amendment/Comment  8. Examiner's Statement of Reasons for Allowance of Biological Material  9. Other  Examiner's REMARKS: Applicant's Corrected DRAWINGS filed on 19 September 2005 have been accepted by Examiner.  | ` ''  |  |   |  |
| noted below. Failure to timely comply will result in ABANDONMENT of this application.  THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.  4.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.  5.  CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.  (a)  including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached  1)  hereto or 2)  to Paper No./Mail Date  (b)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date  Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).  6.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.  Attachment(s)  1.  Notice of Informal Patent Application (PTO-152)  5.  Notice of Informal Patent Application (PTO-152)  6.  Interview Summary (PTO-413), Paper No./Mail Date  7.  Examiner's Amendment/Comment Paper No./Mail Date  8.  Examiner's Statement of Reasons for Allowance of Biological Material  9.  Other  Examiner's REMARKS: Applicant's Corrected DRAWINGS filed on 19 September 2005 have been accepted by Examiner.  | * Certified copies not received:  |  |   |  |
| INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.  5.  | noted below. Failure to timely comply will result in ABANDONMENT of this application.   |  |   |  |
| (a)  □ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached 1) □ hereto or 2) □ to Paper No./Mail Date  (b) □ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date  Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).  6. □ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.  Attachment(s) 1. □ Notice of References Cited (PTO-892) 2. □ Notice of Draftperson's Patent Drawing Review (PTO-948) 3. ☑ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date  Paper No./Mail Date  1. □ Examiner's Comment Regarding Requirement for Deposit of Biological Material  9. □ Other  Examiner's REMARKS: Applicant's Corrected DRAWINGS filed on 19 September 2005 have been accepted by Examiner.   | 4. A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.                                |  |   |  |
| 1)   | 5. CORRECTED DRAWINGS (as "replacement sheets") must be submitted.  |  |   |  |
| (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date  Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).  6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.  Attachment(s) 1. ☐ Notice of References Cited (PTO-892) 2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948) 3. ☑ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date 9/19/2005 4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material  9. ☐ Other  Examiner's REMARKS: Applicant's Corrected DRAWINGS filed on 19 September 2005 have been accepted by Examiner.   | (a) 🔲 including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached  |  |   |  |
| Paper No./Mail Date  Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).  6. □ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.  Attachment(s)  1. □ Notice of References Cited (PTO-892)  2. □ Notice of Draftperson's Patent Drawing Review (PTO-948)  3. ☑ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date 9/19/2005  4. □ Examiner's Comment Regarding Requirement for Deposit of Biological Material  Examiner's REMARKS: Applicant's Corrected DRAWINGS filed on 19 September 2005 have been accepted by Examiner.  | 1) 🗌 hereto or 2) 🔲 to Paper No./Mail Date  |  |   |  |
| each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).  6. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.  Attachment(s)  1. Notice of References Cited (PTO-892)  2. Notice of Draftperson's Patent Drawing Review (PTO-948)  3. Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date 9/19/2005  4. Examiner's Comment Regarding Requirement for Deposit of Biological Material  5. Notice of Informal Patent Application (PTO-152)  6. Interview Summary (PTO-413), Paper No./Mail Date  7. Examiner's Amendment/Comment  8. Examiner's Statement of Reasons for Allowance of Biological Material  9. Other  |   |  |   |  |
| Attachment(s)  1.  Notice of References Cited (PTO-892)  2.  Notice of Draftperson's Patent Drawing Review (PTO-948)  3.  Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date 9/19/2005  4.  Examiner's Comment Regarding Requirement for Deposit of Biological Material  Examiner's REMARKS: Applicant's Corrected DRAWINGS filed on 19 September 2005 have been accepted by Examiner.   | Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d). |  |   |  |
| <ol> <li>Notice of References Cited (PTO-892)</li> <li>Notice of Draftperson's Patent Drawing Review (PTO-948)</li> <li>Information Disclosure Statements (PTO-1449 or PTO/SB/08),         Paper No./Mail Date 9/19/2005</li> <li>Examiner's Comment Regarding Requirement for Deposit of Biological Material</li> <li>Other</li> <li>Notice of Informal Patent Application (PTO-152)</li> <li>Interview Summary (PTO-413),         Paper No./Mail Date</li> <li>Examiner's Amendment/Comment</li> <li>Examiner's Statement of Reasons for Allowance</li> <li>Other</li> </ol>   | 6. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.   |  |   |  |
| <ol> <li>Notice of References Cited (PTO-892)</li> <li>Notice of Draftperson's Patent Drawing Review (PTO-948)</li> <li>Information Disclosure Statements (PTO-1449 or PTO/SB/08),         Paper No./Mail Date 9/19/2005</li> <li>Examiner's Comment Regarding Requirement for Deposit of Biological Material</li> <li>Other</li> <li>Notice of Informal Patent Application (PTO-152)</li> <li>Interview Summary (PTO-413),         Paper No./Mail Date</li> <li>Examiner's Amendment/Comment</li> <li>Examiner's Statement of Reasons for Allowance</li> <li>Other</li> </ol>   |   |  |   |  |
| <ol> <li>Notice of Draftperson's Patent Drawing Review (PTO-948)</li> <li>Interview Summary (PTO-413),</li></ol>   |   | 5 🗆 11 (1 (1 (1 ) )  |   |  |
| Paper No./Mail Date  3. ☑ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date 9/19/2005  4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material  8. ☑ Examiner's Statement of Reasons for Allowance 9. ☐ Other  Examiner's REMARKS: Applicant's Corrected DRAWINGS filed on 19 September 2005 have been accepted by Examiner.   |   |  |   |  |
| Paper No./Mail Date 9/19/2005 4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material  9. ☐ Other  Examiner's REMARKS: Applicant's Corrected DRAWINGS filed on 19 September 2005 have been accepted by Examiner.  |   | Paper No./Mail Dat   | (P1O-413),<br>e   |  |
| <ul> <li>4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material</li> <li>8. ☐ Examiner's Statement of Reasons for Allowance</li> <li>9. ☐ Other</li> <li>Examiner's REMARKS: Applicant's Corrected DRAWINGS filed on 19 September 2005 have been accepted by Examiner.</li> </ul>  |   | 8), 7. Examiner's Amendo   | nent/Comment  |  |
| 9. ☐ Other  Examiner's REMARKS: Applicant's Corrected DRAWINGS filed on 19 September 2005 have been accepted by Examiner.  | 4.   Examiner's Comment Regarding Requirement for Deposit   | 8. 🛭 Examiner's Stateme  | nt of Reasons for Allowance                                   |  |
|  | of Biological Material  | 9.   |   |  |
| •  |   |  |   |  |

## **DETAILED ACTION**

## Response to Amendment

1. Applicant's Amendment filed on 19 September 2005 has been entered. No claims have been amended. Claims 1-14, 16 and 23-27 have been cancelled. Claims 28-33 have been added. Claims 15, 17-22 and 28-33 are still pending in this application, wherein claims 15, 28, 29, 30 and 32 being independent.

## Allowable Subject Matter

- 2. Claims 15, 17-22 and 28-33 (renumbered as 1-13, respectively) are allowed.
- 3. The following is an examiner's statement of reasons for allowance:

The invention as now claimed is not disclosed or rendered obvious in view of the prior art of record. As to claims 15, 28, 29, 30 and 32, the prior art of record fails to teach or suggest, alone or in combination, the recited wearable device for use with an eyeglasses frame and for audio communication with a remote electronic device comprising a member having at least one connector adapted to removably mount the member onto the eyeglasses frame, and a microphone and at least one speaker both coupled to the member, wherein the member comprises a lens holder and the connector comprises a clip adapted to removably mount the clip-on lens holder onto a lens holder of the eyeglasses frame, a frame or sheet and the connector is formed by a bent section thereof and adapted to removably mount the frame or sheet onto a support arm of the eyeglasses frame, a first and a second extension arms where the microphone and the speaker are respectively coupled to, wherein the microphone is

Application/Control Number: 09/888,280

Art Unit: 2642

directional and oriented toward a user's mouth when wearing the eyeglasses, and the

Page 3

speaker is directional and oriented toward the user's ear when wearing the eyeglasses

as set forth in the recited claims.

4. Any comments considered necessary by applicant must be submitted no later

than the payment of the issue fee and, to avoid processing delays, should preferably

accompany the issue fee. Such submissions should be clearly labeled "Comments on

Statement of Reasons for Allowance."

5. Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Bing Bui whose telephone number is (571) 272-7482.

The examiner can normally be reached on Monday through Thursday from 7:30 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Ahmad Matar, can be reached on (571) 272-7488. The fax phone number

for the organization where this application or proceeding is assigned is (571) 273-8300

and for formal communications intended for entry (please label the response

□EXPEDITED PROCEDURE□) or for informal or draft communications not intended for

entry (please label the response "PROPOSED" or "DRAFT").

Any inquiry of a general nature or relating to the status of this application or

proceeding should be directed to the receptionist whose telephone number is (571) 272-

2600.

23 NOV 2005

BING Q. BUI PRIMARY EXAMINER

John & Jani